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FACEBOOK, INC.

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

14 FACEBOOK, INC.,

15 Plaintiffs,

16 v.

17 POWER VENTURES, INC. a Cayman Island  
Corporation,; STEVE VACHANI, an  
18 individual; DOE 1, d/b/a POWER.COM,  
19 DOES 2-25, inclusive,

20 Defendants.

Case No. 5:08-cv-05780 JW

**FACEBOOK INC.'S MOTION FOR  
ADMINISTRATIVE RELIEF TO  
FILE UNDER SEAL, JUDGMENT  
PURSUANT TO CIVIL LOCAL RULE  
79-5(B), THE DECLARATIONS OF  
RYAN MCGEEHAN AND JOSEPH  
CUTLER, AND PORTIONS OF  
FACEBOOK'S MOTION FOR  
PARTIAL SUMMARY**

Dept: Courtroom 9, 19th Floor  
Judge: Honorable James Ware

1 Pursuant to Civil Local Rule 79-5(b), Facebook Inc. respectfully submits this Motion for  
2 Administrative Relief to File Under Seal the entirety of: 1) the November 13, 2011 Declaration  
3 of Ryan McGeehan in Support of Facebook's Motion for Partial Summary Judgment on Count 1  
4 of the CAN-SPAM Act ("McGeehan Declaration"), and Exhibits 2-4 thereto; 2) portions of the  
5 November 14, 2011, Declaration of Joseph Cutler ("Cutler Declaration") and portions of Exhibit  
6 C attached thereto; and 3) portions of Facebook's Motion for Partial Summary Judgment on  
7 Count 1 of the CAN-SPAM Act. This Motion is accompanied by the Declaration of Morvarid  
8 Metanat in support of Facebook's Administrative Motion ("Metanat Declaration") as well as the  
9 attached Proposed Order.

10 Pursuant to the parties' February 4, 2011 Protective Order (Dkt. No. 95), Facebook has  
11 designated as "Highly Confidential—Attorneys' Eyes Only," the entirety of the McGeehan  
12 Declaration, as well as portions of the Cutler Declaration. The McGeehan Declaration contains  
13 commercially sensitive and proprietary information, which Facebook has not disclosed publicly.  
14 The Cutler Declaration contains similarly commercially sensitive and proprietary Facebook and  
15 Perkins Coie information. As described in the Declaration of Morvarid Metanat in Support of  
16 Facebook's Motion to Seal ("Metanat Declaration") attached hereto, a compelling need exists to  
17 maintain the secrecy of the McGeehan Declaration, and Exhibits 2-4, thereto; portions of the  
18 Cutler Declaration and portions of Exhibit C attached thereto; and portions of Facebook's Motion  
19 for Partial Summary Judgment. Facebook, therefore, respectfully requests that the Court grant its  
20 Motion for Administrative Relief to Seal these declarations, as detailed in the Metanat  
21 Declaration.

1 Dated: November 14, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

2  
3 /s/ *Morvarid Metanat* /s/

4 **MORVARID METANAT**

Attorneys for Plaintiff

FACEBOOK, INC.